



# Shasta County

## DEPARTMENT OF RESOURCE MANAGEMENT

1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP  
Director

Dale J. Fletcher, CBO  
Assistant Director

November 17, 2016

K.O.H. Atlas Corporation  
P.O. Box 880  
Cupertino, CA 95015

### **CITATION NO. 01\_75\_16C\_016\_4500303\_12 FOR TUCKER OAKS EAST WATER SYSTEM # 4500303, FAILURE TO OBTAIN A STATE APPROVED WATER TREATMENT OPERATOR**

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

The Shasta County Environmental Health Division (SCEHD) hereby issues a citation to Tucker Oaks East public water system for failure to obtain a certified Water Treatment Operator (WTO) and certified Water Distribution Operator (WDO) as required by Sections 106885 and 116555 of the California Health and Safety Code (H&S Code), and Sections 63765, 63770, 64413.5 and 64413.7 of the California Code of Regulations (CCR) and condition #4 of the permit to operate a small community public water system.

### **APPLICABLE AUTHORITIES**

#### **Section 106885 of the H&S Code states in part:**

- (a) All persons who operate or supervise the operation of water treatment plants shall possess a valid and current water treatment operator certificate or water treatment operator-in-training certificate of appropriate grade in accordance with the regulations referred to in Section 106910.
- (b) All persons who are in responsible charge of the water distribution system of a community water system shall possess a valid and current water distribution operator certificate of the appropriate grade in accordance with the regulations referred to in Section 106910.

#### **Section 116555 of the H&S Code states in part:**

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
  - (1) Complies with primary and secondary drinking water standards.
  - (2) Will not be subject to backflow under normal operating conditions.
  - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.
  - (4) Employs or utilizes only water treatment operators or water treatment operators-in-training that have been certified by the department at the appropriate grade.
  - (5) Complies with the operator certification program established pursuant to Chapter 4 (commencing with Section 106875).

☐ **Suite 101**

AIR QUALITY MANAGEMENT DISTRICT  
530 225-5674  
Fax 530 225-5237

☐ **Suite 102**

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530 225-5761  
Fax 530 245-6468

☐ **Suite 103**

PLANNING DIVISION  
530 225-5532  
Fax 530 245-6468

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ENVIRONMENTAL HEALTH DIVISION  
530 225-5787  
Fax 530 225-5413

☐ **Suite 200**

ADMINISTRATION & COMMUNITY EDUCATION  
530 225-5789  
Fax 530 225-5807

(b) Any person who owns a community water system shall do all of the following:

- (1) Employ or utilize only water distribution system operators who have been certified by the department at the appropriate grade for positions in responsible charge of the distribution system.
- (2) Place the direct supervision of the water system, including water treatment plants, water distribution systems, or both under the responsible charge of an operator or operators holding a valid certification equal to or greater than the classification of the treatment plant and the distribution system.

**Section 63750.50 of CCR states in part:**

“Distribution system” means any combination of pipes, tanks, pumps, etc., which delivers drinking water from a source or treatment facility to the consumer.

**Section 63750.85 of the CCR states in part:**

“Water treatment facility” means a group or assemblage of structures, equipment, and processes that treat or condition a water supply, affecting the physical, chemical, or bacteriological quality of water distributed or otherwise offered to the public for domestic use by a public water system as defined in Health and Safety Code §116275.

**Section 63770 of CCR states in part:**

(b) Water systems shall utilize only certified distribution operators to make decisions addressing the following operational activities:

- (1) Install, tap, re-line, disinfect, test and connect water mains and appurtenances.
- (2) Shutdown, repair, disinfect and test broken water mains.
- (3) Oversee the flushing, cleaning, and pigging of existing water mains.
- (4) Pull, reset, rehabilitate, disinfect and test domestic water wells.
- (5) Stand-by emergency response duties for after-hours distribution system operational emergencies.
- (6) Drain, clean, disinfect, and maintain distribution reservoirs.

(c) Water systems shall utilize either certified distribution operators or treatment operators that have been trained to make decisions addressing the following operational activities:

- (1) Operate pumps and related flow and pressure control and storage facilities manually or by using a system control and data acquisition (SCADA) system.
- (2) Maintain and/or adjust system flow and pressure requirements, control flows to meet consumer demands including fire flow demands and minimum pressure requirements.

(d) Water systems shall utilize either certified distribution operators or treatment operators to make decisions addressing the following operational activities:

- (1) Determine and control proper chemical dosage rates for wellhead disinfection and distribution residual maintenance.
- (2) Investigate water quality problems in the distribution system.

**Section 64413.5 of CCR states in part:**

(a) Each water supplier shall designate at least one chief operator that meets the requirements specified in §63765 for each water treatment facility utilized by the water system.

**Section 64413.7 of CCR states in part:**

(a) Each water supplier shall designate at least one chief operator that meets the requirements specified in §63770 for each distribution system utilized by the water system.

(b) Each water supplier shall designate at least one shift operator that meets the requirements specified in §63770 for each distribution system utilized by the water system for each operating shift.

(c) The chief operator or shift operator shall be on-site or able to be contacted within one hour.

Water Supply Permit to Operate issues May 08, 2003 states in part:

4. Operation of the water system shall include the services of a D1-Certified Distribution System Operator. The certified operator shall be contacted and shall oversee any and all work done to the distribution system, storage systems, treatment units and wells.

#### **STATEMENT OF FACTS**

The Tucker Oaks East Water System is classified as a Community water system serving an average of approximately 100 people per day. The Tucker Oaks East Water System requires a Water Treatment Operator of Grade 1 and Water Distribution Operator of Grade 1 to oversee the community distribution system, corrosion control treatment system and intertie between the Anderson Tucker Oaks Golf Course Water System (System # 4500217) and the Tucker Oaks East Water System (System # 4500303).

#### **DETERMINATION**

According to records in this office, the Tucker Oaks East Water System has failed to obtain the services of an adequate certified WTO and WDO and is violation of Sections 106885 and 116555 of the H&S Code, and Sections 63765, 63770, 64413.5 and 64413.7 of the CCR.

#### **DIRECTIVES**

1. Comply with Sections 106885 and 116555 of the H&S Code, and Sections 63765, 63770, 64413.5 and 64413.7 of the CCR and Water Supply Permit to operate issued May 08, 2003 in all future monitoring periods.
2. On or before December 31, 2016, notify this office in writing of the name and contact information of at least one Certified WTO/WDO that will oversee the Tucker Oaks East public water system and fulfill the requirements for WTO and WDO.
3. Notify this office when Tucker Oaks East Water System no longer has the services of a certified WTO or certified WDO or there is a change in WTO or WDO personnel.

All submittals required by this Citation shall be forwarded to:

Christy Gilbreath, R.E.H.S.  
Shasta County Environmental Health Division  
1855 Placer Street, Suite 201, Redding, CA 96001

Failure to comply with any provisions of this Order will result in issuance of another citation with a possible assessed civil penalty of up to \$100 per day per provision being violated.

#### **PARTIES BOUND**

This Citation shall apply to and be binding upon Tucker Oaks East Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

#### **SEVERABILITY**

The directives of this Citation are severable, and Tucker Oaks East Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

K.O.H. Atlas Corporation  
Page 4  
November 17, 2016

**FURTHER ENFORCEMENT ACTION**

Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the California Health and Safety Code authorizes SCEHD to issue a citation with assessment of penalties if Tucker Oaks East Water System continues to fail to correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of SCEHD; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of SCEHD. The SCEHD does not waive any further enforcement action by issuance of this citation.



Christy Gilbreath, R.E.H.S.  
Shasta County Environmental Health Division

11/17/16  
Date

c via email: James Hoffman, KOH Atlas; [jchkit@usa.com](mailto:jchkit@usa.com)  
Susan Maxwell, [smaxwell2000@yahoo.com](mailto:smaxwell2000@yahoo.com)  
Bill Harris, [harrisbk1961@tds.net](mailto:harrisbk1961@tds.net)  
Dan Mehr, Reese, Smalley, Wiseman and & Wiseman & Schweitzer, LLP;  
[Daniel.mehr@rswslaw.com](mailto:Daniel.mehr@rswslaw.com)